

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42760 of 2026

Arising Out of PS. Case No.-179 Year-2026 Thana- CHAKIA District- East Champaran

Sunil Kumar S/O Late Mohan Sahani R/O Vill.- Bara Baisaha, P.S- Chakia,
Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-07-2026 Heard Mr. Suraj Kumar Tiwar, learned counsel for
the petitioner and Mrs. Indu Kumari Srivastava, learned APP for
the State.

2. Petitioner seeks bail, who is in custody since
04.05.2026, in connection with Chakia P.S. Case No. 179 of
2026, F.I.R. dated 03.05.2026 registered for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2022.

3. Recovery is of 146.00 litres of *country made* liquor.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that it
appears from the F.I.R. as well as seizure list that nothing has
been recovered from the conscious possession of the petitioner



and altogether 146.00 litres of country made liquor was recovered near the tin shed 50 metres from the house of co-accused Anil Sahani and the name of the petitioner has been transpired on the disclosure made by local choukidar and except the aforesaid, nothing cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. The petitioner is in custody since 04.05.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and nothing has been recovered from the conscious possession of the petitioner and the name of the petitioner has been transpired on the basis of disclosure made by local choukidar, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 3, Civil Court, East Champaran at Motihari in connection with Chakia P.S. Case No. 179 of 2026, subject to the following conditions :-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed her criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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